

INITIAL STATEMENT OF REASONS

- a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Section 87101(n)(3)

Specific Purpose:

The specific purpose of this amendment is to adopt a definition of the term Non-Compliance Conference.

Factual Basis:

This amendment is necessary to define the term Non-Compliance Conference as it is referred to in proposed Section 87702.1(a)(3).

Section 87101(n)(4) [Renumbered from 870101(n)(3)]

Specific Purpose/Factual Basis:

This section is renumbered to accommodate the adoption of a new Section 87101(n)(3).

Section 87218(a)

Specific Purpose:

The specific purpose of this amendment is to repeal the word ‘verified’.

Factual Basis:

This amendment is necessary to remove confusing language. It is not clear what the term ‘verified’ application means. This amendment is necessary for clarity and ease of use.

Section 87218(a)(14)

Specific Purpose:

The specific purpose of this amendment is to correct a reference error and more accurately describe the documentation requirement when there is a change of licensee.

Factual Basis:

This amendment is necessary to correct the reference to Section 87227(f) as providing information regarding a change in licensee. Change of licensee information is given in Section 87227(k). Also, editorial amendments are made for clarity and consistency.

Section 87561(a)(2)

Specific Purpose:

The specific purpose of this amendment is to allow the licensee to report special incidents by faxing the incident report to the licensing agency. The telegraph is repealed as an optional method of reporting.

Factual Basis:

The use of facsimile is currently a common form of communication used between licensees and the licensing agency. Telegraph communications between licensees and the licensing offices are no longer used.

Section 87575.1(d)

Specific Purpose:

The specific purpose of this amendment is to correct an error in sequencing and a reference error.

Factual Basis:

This amendment is necessary because there were two sections numbered 87575.1(c). The second Section 87475.1(c) is changed to Section 87575.1(d). This amendment also corrects a reference to Section 87575.1(b) as providing procedures for a resident with a medical emergency who has a Request to Forego Resuscitative measures, and/or an Advance Health Care Directive. Procedures for a resident with a medical emergency who has a Request to Forego Resuscitative measures, and/or an Advance Health Care Directive is provided in Section 87575.1(c)(1), (2), or (3). These amendments are necessary for consistency and clarity and ease of use.

Section 87577(a)(3)(E)

Specific Purpose:

The specific purpose of adopting this amendment is to correct an error in measurement requirements for drawer space from eight square feet to eight cubic feet.

Factual Basis:

This amendment is necessary to clarify that eight cubic feet of drawer space must be provided. Square feet are not an appropriate measure of drawer space.

Section 87578(a)

Specific Purpose:

The specific purpose of adopting this amendment is to repeal the requirement to obtain the licensing agency's approval for a resident to use postural supports and the phrase "as specified in Article 6."

Factual Basis:

This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents. Existing regulation provides protection for residents who use postural supports by prohibiting the use of the support as a form of restraint. Also, this amendment is necessary for consistency and ease of use.

Section 87578(a)(2)

Specific Purpose:

The specific purpose of this amendment is to repeal the reference to the approval requirement for postural supports and to correct a grammatical error.

Factual Basis:

This amendment is necessary for consistency and ease of use.

Section 87578(a)(3)

Specific Purpose:

The specific purpose of this amendment is to repeal the reference to the approval requirement for postural supports and to specify where the physician's order for the postural support must be maintained. Also, editorial corrections are being made to the existing regulation.

Factual Basis:

This amendment is necessary to require that specific information, previously essential to obtain licensing approval for the use of postural supports, be maintained in the resident's record. This amendment is necessary for the protection of the health and safety of the resident. Also, editorial corrections are proposed for clarity and consistency.

Section 87578(a)(4)

Specific Purpose:

The specific purpose of this amendment is to repeal the reference to the approval requirement for postural supports and to clearly state the existing requirement to maintain an appropriate fire clearance.

Factual Basis:

This section is necessary to protect the health and safety of residents and for consistency and clarity.

Section 87578(a)(5) (Repealed)

Specific Purpose:

This section is being repealed to remove the language that states the licensing agency has the authority to grant conditional and/or limited approvals to use postural supports.

Factual Basis:

This repeal is necessary for consistency and clarity. This regulation package is repealing the need to obtain approval from the licensing agency to use postural supports. See specific purpose and factual basis for Section 87578(a).

Sections 87578(a)(5) and (a)(5)(A) [Renumbered from Sections 87578(a)(6) and (a)(6)(A)]

Specific Purpose:

The specific purpose of this amendment is to repeal the requirement for prior licensing approval for the use of bed rails that extend half the length of a resident's bed and to renumber Section 87578(a)(6) and the first sentence of Section 87578(a)(6)(A).

Factual Basis:

This amendment is necessary because, given current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health

and safety of residents. Existing regulation protects residents by prohibiting the use of bed rails as a form of restraint. Section 87578(a)(6) and the first sentence of Section 87578(a)(6)(A) are renumbered to Sections 87578(a)(5) and (a)(5)(A) to accommodate the repeal of Section 87578(a)(5).

Section 87578(a)(5)(B)

Specific Purpose:

The specific purpose of this amendment is to clarify that bed rails extending the entire length of the bed are allowed only when the need is specified in a current hospice care plan and to renumber the second sentence of Section 87578(a)(6)(A).

Factual Basis:

This amendment is necessary to clarify that residents who are receiving hospice care are allowed use of full bed rails when ordered by the physician. The second sentence of Section 87578(a)(6)(A) is renumbered to Section 87578(a)(5)(B) to accommodate the repeal of Section 87578(a)(5).

Section 87691(f)(2)

Specific Purpose:

The specific purpose of this section is to add a reference to the California Code of Regulations regarding disposal of contaminated needles and to repeal outdated, incorrect information.

Factual Basis:

This section is necessary to accurately reference state requirements for the disposal of contaminated needles for clarity and ease of use.

Section 87691(f)(2)(A) (Handbook)

Specific Purpose:

The specific purpose of adopting this section is to reference current California Code of Regulations, Title 8, regarding the disposal of contaminated needles.

Factual Basis:

This section is necessary for clarity and consistency.

Section 87701(a)

Specific Purpose/Factual Basis:

This section is amended to add two commas to the existing regulation. This editorial amendment is necessary for clarity and consistency.

Section 87701(a)(1)

Specific Purpose:

The specific purpose of this section is to add the current terminology for dermal ulcers which is pressure sores.

Factual Basis:

This amendment is necessary for consistency and clarity. The terminology "pressure sores" is consistent with that used by the National Library of Medicine and the National Institute of Health.

Section 87701(a)(3)

Specific Purpose:

The specific purpose of this amendment is to remove the use of liquid oxygen from the list of prohibited health conditions.

Factual Basis:

This amendment is necessary to allow persons who use liquid oxygen to be admitted or retained in a Residential Care Facility for the Elderly. The circumstances regarding this are now stated in the proposed amendments to Section 87703, Oxygen Administration – Gas and Liquid.

Section 87701(a)(3) through (6) [Renumbered from Sections 87701(a)(4) through (7)]

Specific Purpose/Factual Basis:

Sections 87701(a)(4) through (7) are renumbered to Sections 87701(a)(3) through (6) for consistency and ease of use since Section 87701(a)(3) is being repealed by these proposed regulations.

Section 87701.1(a)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to delete duplicative language, to add necessary language, and to correct a grammatical error. This amendment is necessary to reword this section for clarity and ease of use.

Section 87701.1(a)(9)

Specific Purpose:

The specific purpose of amending this section is to add the use of a nebulizer to the use of an Intermittent Positive Pressure Breathing (IPPB) machine in the list of restricted health conditions.

Factual Basis:

This amendment is necessary to clarify conditions for the use of a nebulizer. The acceptance of residents who use nebulizers is becoming more common and clarification in regulations has been requested from the field offices. The use of a nebulizer is being added to Section 87704, Restricted Health Conditions by these proposed regulations.

Section 87701.1(a)(10)

Specific Purpose:

The specific purpose of this section is to add the current terminology for dermal ulcers which is pressure sores.

Factual Basis:

This amendment is necessary for consistency and clarity. The terminology is consistent with that used by the National Library of Medicine and the National Institute of Health.

Sections 87701.2(Title) and (a) through (d)(1)

Specific Purpose:

The specific purpose of adopting these sections is to add similar language from Title 22, Division 6, Chapter 1 (General Licensing Requirements), Section 80092.1, General Requirements for Restricted Health Conditions, that is applicable to Residential Care Facilities for the Elderly. For example, language referring to a care plan in the general licensing regulations is omitted here because it is not applicable.

Factual Basis:

These sections are necessary because the requirement for prior approval from the Department for licensees to accept or retain a resident with a restricted health condition is removed. These sections specify necessary safeguards, previously required to obtain the Department's approval. They are necessary to protect the health and safety of residents in care.

Section 87701.3 [Renumbered from Section 87701.2]

Specific Purpose/Factual Basis:

This section is renumbered to accommodate the adoption of a new Section 87701.2.

Section 87702(a)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to delete duplicative language, to add the word "Section," and to add the title to the reference to Section 87701.1. This amendment is necessary for clarity, consistency, and ease of use.

Section 87702(b)(1)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to spell out the abbreviation to Residential Care Facilities for the Elderly (RCFE) and to delete unnecessary words. This amendment is necessary for clarity, consistency and ease of use.

Section 87702(b)(4)(B)

Specific Purpose:

The specific purpose of these amendments is to correct grammatical errors and to remove the term "specific page in the clinical record" and reference to contact information "for the resident at the facility."

Factual Basis:

These amendments are necessary for clarity and ease of use. The term 'clinical record' is not commonly used in Residential Care Facilities for the Elderly and is confusing. The regulations require that this agreement be placed in the residents file only and therefore there is no need for the agreement to include contact information for the resident at the facility.



Section 87702(c)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to make editorial corrections to remove unnecessary language and to add the word “that.” This amendment is necessary for clarity, consistency and ease of use.

Section 87702.1(a) et seq.

Specific Purpose:

The specific purpose of adopting these sections is to require noncompliant licensees to obtain Department approval prior to accepting or retaining a resident with certain allowable health conditions and prior to accepting or retaining a resident who cannot provide all routine care for his/her condition.

Factual Basis:

The requirement for all licensees, who accept residents who cannot provide all routine care for their health condition, to obtain prior Departmental approval has been removed. These sections are necessary to require licensees who have serious compliance problems to continue to obtain prior Departmental approval. These sections are necessary to protect the health and safety of residents.

Section 87702.1(b) [Renumbered from Section 87702.1(a)]

Specific Purpose/Factual Basis:

Section 87702.1(a) is renumbered to Section 87702.1(b). This amendment is necessary for consistency in alphabetization.

Section 87702.1(b)(2) [Renumbered from Section 87702.1(a)(2)]

Specific Purpose/Factual Basis:

The specific purpose of these amendments is to correct grammatical errors for clarity and for ease of use. Also, Section 87702.1(b)(2) is renumbered from Section 87702.1(a)(2) for consistency.

Section 87702.1(c) [Renumbered from Section 87702.1(b)]

Specific Purpose/Factual Basis:

Section 87702.1(b) is renumbered to Section 87702.1(c). Also, the cross-reference to Section 87565(c) is changed to Section 87565(d) to correct a reference error. These amendments are necessary for consistency in alphabetization and for ease of use.

Section 87702.1(d) [Renumbered from Section 87702.1(c)]

Specific Purpose/Factual Basis:

Section 87702.1(c) is renumbered to Section 87702.1(d) and the titles are added to the cross-references to Sections 87587 and 87591. These amendments are necessary for consistency in alphabetization and ease of use.

Sections 87702.1(e) and (f) [Renumbered from Section 87702.1(d) and (e)]

Specific Purpose/Factual Basis:

Sections 87702.1(d) and (e) are renumbered to Sections 87702.1(e) and (f) for consistency in alphabetization.

Sections 87703(Title), (a), and (a)(2)

Specific Purpose:

The specific purpose of amending these sections is to add the reference to Section 87702, repeal the requirement to obtain the licensing agency's approval for a resident to use intermittent oxygen administration, and to correct grammatical errors.

Factual Basis:

This amendment is necessary to clarify under what condition approval from the licensing agency is still required and because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents. Grammatical errors are corrected for clarity and ease of use.

Section 87703(b)

Specific Purpose:

The specific purpose of this amendment is to add the appropriate subsection to Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87703(b)(3)(E)

Specific Purpose:

The specific purpose of this amendment is to specify that oxygen tanks that are not portable must be secured.

Factual Basis:

This amendment is necessary because tanks that are not secure are potential hazards to residents.

Section 87703(b)(3)(F)

Specific Purpose:

The specific purpose of this amendment is to change the limitation of seven feet for the length of the tubing to a length sufficient to allow movement in the resident's room as long as it does not constitute a hazard.

Factual Basis:

This amendment is necessary to permit residents reasonable freedom of movement while using oxygen. After receiving numerous complaints from licensing field staff about the restriction of the seven-foot tubing standard, the Department has determined that a specific tubing length is no longer required.

Sections 87703(c) through (c)(2)

Specific Purpose:

The specific purpose of adopting these sections is to specify that the use of liquid oxygen in a facility is allowable for residents who are capable of determining need, operating the equipment, and self-administration. The purpose is also to state that the licensee must obtain approval from the Department prior to acceptance or retention of a person who requires the use of liquid oxygen.

Factual Basis:

These sections are necessary to specify the conditions that must be met for a licensee to accept or retain a person who uses liquid oxygen. These sections are necessary to protect the health and safety of residents in care due to the flammability and potential danger of liquid oxygen use.

Sections 87704(Title) and (a)

Specific Purpose:

The specific purpose of this amendment is to add the reference to Section 87702.1(a) and to add the use of a nebulizer to the requirements for the use of an intermittent positive pressure-breathing (IPPB) machine.

Factual Basis:

This amendment is necessary to clarify under what conditions approval from the licensing agency is still required and to provide appropriate guidelines for the protection of the health and safety of residents in care because the criteria to operate a nebulizer is similar to that to operate an IPPB machine.

Section 87704(a)(2)

Specific Purpose:

The specific purpose of this amendment is to remove the reference to obtaining approval from the Licensing Agency and to further specify that this subsection pertains to the device being operated and cared for by an skilled professional.

Factual Basis:

This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents. Grammatical errors are corrected for clarity and ease of use.

Section 87704(b)

Specific Purpose:

The specific purpose of this amendment is to add the appropriate subsection of Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Sections 87704(b)(2) and (b)(3)

Specific Purpose:

The specific purpose of this amendment is to remove the term IPPB.

Factual Basis:

This amendment is necessary to expand this section to include the use of a nebulizer.

Section 87704(b)(4)

Specific Purpose:

The specific purpose of this amendment is to add the specific subsection to the reference to Section 87577.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87704(b)(5)

Specific Purpose:

The specific purpose of this amendment is to remove the term IPPB from “IPPB equipment.”

Factual Basis:

This amendment is necessary to expand this section to include the use of a nebulizer.

Section 87705(a)

Specific Purpose:

The specific purpose of this amendment is to add the reference to Section 87702.1(a).

Factual Basis:

This amendment is necessary to clarify under what conditions approval from the licensing agency is still required.

Section 87705(a)(2)

Specific Purpose:

The specific purpose of this amendment is to repeal the requirement for approval by the licensing agency.

Factual Basis:

This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents.

Section 87705(b)

Specific Purpose:

The specific purpose of this amendment is to add the appropriate subsection of Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87705(b)(1)(A)

Specific Purpose:

The specific purpose of this amendment is to remove the reference to the approval by the Licensing Agency and changing the term “this” to “the” professional.

Factual Basis:

This amendment is necessary for consistency and to correct a grammatical error.

Section 87707(b)

Specific Purpose:

The specific purpose of this amendment is to add the title for Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87707(b)(2)(A)

Specific Purpose:

The specific purpose of this amendment is to repeal the requirement for approval by the licensing agency to accept or retain a person with a catheter and also to repeal the words “supervision and.”

Factual Basis:

This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents. Also, the words “supervision and” are repealed so that the requirement is that the bag may be emptied by facility staff who received “instruction” from an appropriately skilled professional. This amendment is necessary for consistency and clarity.

Section 87707(b)(2)(B)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to replace the word “the” with “an” and to add additional information for clarity and ease of use.

Section 87707(b)(2)(C)

Specific Purpose:

The specific purpose of adding this section is to require that the professional reviews the performance of staff as often as deemed necessary or at least annually.

Factual Basis:

This section is necessary to ensure that staff continues to empty the catheter bag as they are instructed.

Section 87708(a)(1)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to correct a grammatical error for clarity.

Section 87708(a)(1)(D)

Specific Purpose:

The specific purpose of this amendment is to remove language that requires the incontinent resident to be kept clean and dry.

Factual Basis:

This amendment is necessary to remove redundant language. This requirement is stated in Section 87708(b)(3).

Section 87708(b)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to add the title of the referenced Section 87702.1 for clarity and ease of use.

Section 87708(b)(3)

Specific Purpose:

The specific purpose of this amendment is to require the facility to be free of odors from incontinence.

Factual Basis:

This amendment is necessary for clarity because the detection of odors from incontinence indicate that the resident is not being kept clean and dry.

Section 87708(b)(4)

Specific Purpose/Factual Basis:

The specific purpose of this amendment is to correct a grammatical error to remove the "s" form "dysfunctions" for clarity and ease of use.



Section 87708(b)(7)

Specific Purpose:

The specific purpose of this amendment is to require evaluation of the resident's skin where it is exposed to urine and feces.

Factual Basis:

This amendment is necessary to ensure the health and safety of incontinent residents to ensure that skin breakdown which can lead to pressure sores is not occurring.

Sections 87708(b)(8) through (b)(10) [Renumbered from Sections 87708(b)(7) through (9)]

Specific Purpose/Factual Basis:

The specific purpose of this amendment is renumeration for consistency and ease of use.

Section 87709(a)

Specific Purpose:

The specific purpose of this amendment is to add the reference to Section 87702.1(a).

Factual Basis:

This amendment is necessary to clarify under what conditions approval from the licensing agency is still required.

Section 87709(a)(2)

Specific Purpose:

The specific purpose of this amendment is to repeal the requirement for approval by the licensing agency.

Factual Basis:

This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents.

Section 87709(b)

Specific Purpose:

The specific purpose of this amendment is to add the appropriate subsection of Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87709(b)(1)

Specific Purpose:

The specific purpose of this amendment is to add “physical therapist” to the persons who can prescribe exercises for contractures and to remove the requirement for supervision of trained facility staff by the skilled professional and to delete the word “exercises.”

Factual Basis:

This amendment is necessary to allow physical therapists to function within their scope of practice. The requirement for trained facility staff to have supervision by a skilled professional is vague and confusing. The word “exercises” is deleted to correct a duplication.

Section 87709(b)(2)

Specific Purpose:

The specific purpose of this section is to add the requirement for specific documentation from the skilled professional before exercises are to be performed by facility staff.

Factual Basis:

This section is necessary to protect the health and safety of residents in care by permitting verification that appropriate instruction has been given to facility staff.

Section 87709(b)(3)

Specific Purpose:

The specific purpose of this section is to require the professional to review staff performance as often as necessary, but at least annually.

Factual Basis:

This section is necessary to protect the health and safety of residents in care by ensuring adequate review of staff performance.

Section 87710(b)

Specific Purpose:

The specific purpose of this amendment is to add the title for Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87710(b)(4)

Specific Purpose:

The specific purpose of this amendment is to remove reference to the recognized food exchange recommendations contained in a 1986 publication.

Factual Basis:

This amendment is necessary because the 1986 publication referenced contains outdated information.

Section 87711(b)

Specific Purpose:

The specific purpose of this amendment is to add the title for Section 87702.1.

Factual Basis:

This amendment is necessary for clarity and ease of use.

Section 87713(a)

Specific Purpose:

The specific purpose of this amendment is to add the reference to Section 87702.1(a).

Factual Basis:

This amendment is necessary to clarify under what conditions approval from the licensing agency is still required.

Section 87713(a)(1)

Specific Purpose:

The specific purpose of this amendment is to repeal the requirement for approval by the licensing agency to accept or retain a person with a healing wound and to repeal the word "medical" from the phrase "appropriately skilled 'medical' professional."

Factual Basis:

This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents. The word "medical" is repealed to have consistent terminology with that used in Sections 87701.2(a)(2), 87703(a)(2), 87704(a)(2), 87705(a)(2), 87709(a)(2), and 87709(b)(1).

Section 87713(a)(2)(A)

Specific Purpose:

The specific purpose of this amendment is to remove the insertion of eye drops following cataract surgery from this section.

Factual Basis:

This amendment is necessary because it is determined that facility staff who routinely administer other medications, including eye drops for other medical reasons, can safely administer eye drops following cataract surgery.

Section 87713(a)(3)

Specific Purpose:

The specific purpose of this amendment is to allow for an appropriately skilled professional to diagnose the stage of a pressure sore (dermal ulcer). The term "pressure sore" is added by these proposed regulations.

Factual Basis:

This amendment is necessary to allow Registered Nurses (RNs), functioning within their scope of practice, to provide a diagnosis. Also, the term “pressure sore” is added to reflect the current terminology for dermal ulcer.

Section 87713(a)(3)(A)

Specific Purpose:

The specific purpose of this amendment split out the requirement for a skilled professional to provide care for the pressure sore (dermal ulcer) from Section 87713(a)(3) into Section 87713(a)(3)(A), to repeal the requirement for approval by the licensing agency, and to add the “e” to the word “care.” Also, the term “pressure sore” is added to reflect the current terminology for dermal ulcer.

Factual Basis:

This amendment is necessary for clarity and ease of use, and to allow a person with a pressure sore (dermal ulcer) to be admitted or retained without the Department’s prior approval. The terminology "pressure sore" is consistent with that used by the National Library of Medicine and the National Institute of Health. This amendment is necessary because, given the current budget constraints, the Department has determined that placing these commonly granted exceptions into regulation will not adversely impact current licensing standards. This will eliminate the need for Department staff to process exception requests, allowing staff to concentrate on overseeing the health and safety of residents.

Section 87713(b)

Specific Purpose:

The specific purpose of this section is to make clear that a skin tear is not considered a healing wound.

Factual Basis:

This amendment is necessary for clarification.

b) Identification of Documents Upon Which Department Is Relying

c) Local Mandate Statement

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in this order that require reimbursement under the laws of California.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.